

10 DEC 2001

Form PTO-1390 (REV 10-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>1581.0810000/RWE</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (IF KNOWN, SEE 37 C.F.R. § 1.5) <b>09/889,520</b>
INTERNATIONAL APPLICATION NO <b>PCT/GB00/00315</b>	INTERNATIONAL FILING DATE <b>February 3, 2000</b>	PRIORITY DATE CLAIMED <b>February 5, 1999</b>		
<b>TITLE OF INVENTION</b> <b>ASSAY WITH REDUCED BACKGROUND</b>				
<b>APPLICANT(S) FOR DO/EO/US</b> <b>RAVEN, Neil David Hammond and WICTOME, Matthew Patrick</b>				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)).</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 372(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>				
<b>Items 11. to 16. below concern other document(s) or information included:</b>				
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.             <ol style="list-style-type: none"> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> </ol> </li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input checked="" type="checkbox"/> Other items or information:             <ol style="list-style-type: none"> <li>a. Copy of Notification of Missing Requirements;</li> <li>b. Power of Attorney From Assignee With Delegation from Microbiological Research Authority; and</li> <li>c. Certificate Under 37 C.F.R. § 3.73(b), from Microbiological Research Authority, with copy of Assignment attached.</li> </ol> </li> </ol>				

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.50)  
09/889,520

INTERNATIONAL APPLICATION NO.  
PCT/GB00/00315

ATTORNEYS DOCKET NUMBER  
1581.0810000/RWE

17.  The following fees are submitted:

CALCULATIONS PTO USE ONLY

**Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1040.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$890.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$740.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$ 100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT**

= \$already paid

Surcharge of **\$130.00** for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

Claims	Number Filed	Number Extra	Rate	
Total Claims	- 20 =		X \$18.00	\$
Independent Claims	- 3 =		X \$84.00	\$
Multiple dependent claim(s) (if applicable)			+ \$280.00	\$
<b>TOTAL OF ABOVE CALCULATIONS</b>				= \$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$
<b>SUBTOTAL</b>				= \$ 130.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ -0-
<b>TOTAL NATIONAL FEE</b>				= \$ 130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00
<b>TOTAL FEES ENCLOSED</b>				= \$ 170.00
				<b>Amount to be refunded:</b> \$
				<b>charged:</b> \$

- a.  A check in the amount of \$ 170.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0036. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit Under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

**CUSTOMER NUMBER 26111**

**STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.**

1100 New York Avenue, NW, Suite 600

Washington, D.C. 20005-3934

*Robert W. Esmond*

12/10/2001

SIGNATURE

**Robert W. Esmond**

NAME

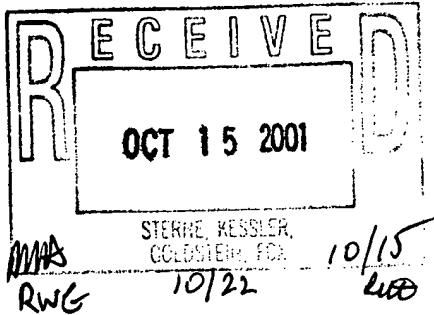
**32,893**

REGISTRATION NUMBER

Commissioner For Patents, Box PCT, United States Patent and Trademark Office, Washington, D.C. 20231, www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/889,520	Neil Raven	1581.081000/RWE

Robert W Esmond  
Sterne Kessler Goldstein & Fox  
1100 New York Avenue N.w.  
Suite 600  
Washington, DC 20005-3934



INTERNATIONAL APPLICATION NO.

PCT/GB00/00315

IA. FILING DATE

02/03/2000

PRIORITY DATE

02/05/1999

CONFIRMATION NO. 4276

371 FORMALITIES LETTER



Date Mailed: 10/11/2001

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Declaration Due Dec 11, 2001 DOCKE  
STAFF BAR MAY 11, 2002

PATRICIA A BOOKER

Telephone: (703) 305-3738

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/889,520	PCT/GB00/00315	1581.081000/RWE